

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

American Crystal Sugar Company,

Plaintiff,

Civil File No: 0:19-cv-02319-ECT/LIB
Case Type: CONTRACT

VS.

Biwer & Associates, Inc.,

Defendant.

**AMENDED MOTION FOR MORE
DEFINITE STATEMENT**

TO: Plaintiff American Crystal Sugar Company and its attorneys, Timothy O'Shea, Anne Rondoni Tavernier and Nikola Datzov, Fredrikson & Byron, PA, 200 S. 6th Street, Suite 4000, Minneapolis, MN 55402-1425.

PLEASE TAKE NOTICE THAT, on **November 12, 2019 at 1:30 pm** at the Gerald H. Heaney Federal Building and United States Courthouse 515 West First Street, Duluth, MN in Courtroom 3, Defendant Biwer & Associates, Inc., will hereby move the Court pursuant to Rule 12(e) of the Federal Rules of Civil Procedure for an Order requiring Plaintiff to provide a more definite and specific statement of the factual basis for the fraudulent misrepresentation claim that is set forth in the Complaint.

This motion is based on the forthcoming accompanying memorandum of law and all of the pleadings, files and records herein, together with any arguments of counsel the Court may wish to entertain.

ARTHUR, CHAPMAN, KETTERING,
SMETAK & PIKALA, P.A.

Dated: September 23, 2019

s/Timothy J. Carrigan
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